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AUTHORITY: 46 U.S.C. 5101-5116; Department of Homeland Security Delegation No. 0170.1; section 42.01-5 also issued under the authority of 44 U.S.C. 3507.

Subpart 42.01—Authority and Purpose

§ 42.01-1 Authority for regulations.

The statutory authority to prescribe rules and regulations requiring certain vessels to have and display load line marks indicating the maximum amidship draft to which such vessels may be safely loaded and certification thereof by the assigning authority is in 46 U.S.C. 5101-5116.

[CGD 80-120, 47 FR 5721, Feb. 8, 1982, as amended by CGD 97-057, 62 FR 51043, Sept. 30, 1997]

§ 42.01-5 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and record-keeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the

Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

| 46 CFR part or section where identified or described | Current OMB control No. |
|--|-------------------------|
| Part 42 | 1625-0013 |
| Part 44 | 1625-0013 |
| Part 45 | 1625-0013 |
| Part 46 | 1625-0013 |

[49 FR 38120, Sept. 27, 1984, as amended by USCG-2004-18884, 69 FR 58345, Sept. 30, 2004]

§ 42.01-10 Purpose of regulations.

(a) The load line marks when placed on a vessel shall indicate the maximum amidships draft to which such vessel can be lawfully submerged, in the various circumstances and seasons applicable to such vessel.

(b) This subchapter sets forth the uniform minimum requirements for load line marks on various categories of vessels. It also sets forth requirements for surveys relating to the assignment of load lines, the issuing of load line certificates by authorized issuing authorities, and the carriage of load line certificates aboard vessels.

(c) The rules and regulations in this subchapter also provide for the enforcement of load line requirements and control over vessels when it is believed such vessels may be in violation of applicable load line requirements.

[CGFR 68-60, 33 FR 10049, July 12, 1968, as amended by CGD 80-120, 47 FR 5721, Feb. 8, 1982]

Subpart 42.03—Application

§ 42.03-5 U.S.-flag vessels subject to the requirements of this subchapter.

(a) *Vessels engaged in foreign voyages or international voyages other than solely Great Lakes voyages.* (1) All U.S. flag vessels which engage in foreign voyages or international voyages by sea (other than solely in Great Lakes voyages) are subject to this part; except the following:

- (i) Ships of war;
- (ii) New vessels of less than 79 feet in length;
- (iii) Existing vessels of less than 150 gross tons;

(iv) Pleasure yachts not engaged in trade; and

(v) Fishing vessels.

(2) As provided in Article 4(4) of the 1966 Convention, in order for existing vessels to take advantage of any reduction in freeboards from those previously assigned, the regulations in Subparts 42.13 to 42.25, inclusive, of this part shall be fully complied with. Except for due cause, such vessels shall not be required to increase their freeboards under the provisions of the 1966 Convention.

(3) All U.S.-flag vessels authorized to engage in foreign or international voyages may also engage in domestic voyages by sea and, as permitted by § 45.9 of this part and Part 47 of this subchapter, in Great Lakes voyages without additional load line marks and/or certificates. Where additional load line marks and certificates are provided to specifically cover "Special Service, Coastwise" or "Great Lakes" operation, such vessels are subject to the applicable provisions of Parts 44 and 45 of this subchapter.

(b) *Vessels engaged in domestic voyages by sea.* (1) All U.S.-flag vessels which engage in domestic voyages by sea (coastwise and intercoastal voyages) shall be subject to the applicable provisions of this part except the following:

(i) Merchant vessels of less than 150 gross tons.

(ii) Vessels which are mechanically propelled and numbered by a State or the Coast Guard under the Federal Boat Safety Act of 1971 (46 U.S.C. 1451 et seq.) and not required by other laws to be inspected or certified by the U.S. Coast Guard. (This exception includes all mechanically propelled vessels of less than 150 gross tons, and uninspected motor propelled oceanographic vessels of less than 300 gross tons while operating pursuant to 46 U.S.C. 2113.

(iii) Pleasure craft not used or engaged in trade or commerce.

(iv) Barges of less than 150 gross tons.

(v) Vessels engaged exclusively in voyages on waters within the United States or its possessions and which are determined not to be "coastwise" or "Great Lakes" voyages.

(vi) Ships of war.